12-12020-mg Doc 10175-2 Filed 10/10/16 Entered 10/10/16 12:12:20 Exhibit 2 - Rescission Notice Pg 1 of 4

Exhibit 2

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO: EXECUTIVE TRUSTEE SERVICES, LLC 2255 NORTH ONTARIO STREET #400 BURBANK, CA 91504-3120

San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2011-J200989-00

Check Number 8518
Friday, JUN 17, 2011 11:14:27
Til Pd \$14.00 Rcpt # 0004167180
REEL K419 IMAGE 0319

081/G0/1-3

## NOTICE OF RESCISSION OF TRUSTEE'S DEED UPON SALE

This Notice of Rescission is made this day Jun 15, 2011 with respect to the following:

- 1.) THAT Executive Trustee Services, LLC dba ETS Services, LLC is the duly appointed Trustee under that certain Deed of Trust dated 10/25/2006 and recorded 11/02/2006 as instrument number 2006-I277962-00 in book J259 page 0098 wherein BERNARD V WARD AND COLLEEN M HALLORAN, HUSBAND AND WIFE are named as trustors, FIRST AMERICAN TITLE is named as trustee, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR NL, INC. A CORPORATION; is named as beneficiary;
- 2.) THAT MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. is the beneficiary of record under that Deed of Trust by virtue of an Assignment of Beneficial Interest recorded N/A
- 3.) THAT THE DEED OF TRUST encumbers real property located in the County of San Francisco, State of CA, described as follows:

See exhibit "A" attached hereto and made a part hereof

4.) THAT BY VIRTUE OF a default under the terms of the Deed of Trust, the beneficiary did declare a default, as set forth in a Notice of Default recorded 05/26/2010 as instrument number 10-i974195 in book/page / in the office of the Recorder of San Francisco County, State of CA;

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- 5.) THAT THE TRUSTEE has been informed by the Beneficiary that the beneficiary desires to rescind the Trustee's Deed recorded upon the foreclosure sale which was conducted in error due to a failure to communicate timely, notice of conditions which would have warranted a cancellation of the foreclosure which did occur on 5/20/2011;
- 6.) THAT THE EXPRESS PURPOSE of this Notice of Rescission is to return the priority and existence of all title and lien holders to the status quo-ante as existed prior to the trustee's sale:

NOW THEREFORE, THE UNDERSIGNED HEREBY RESCINDS THE TRUSTEE'S SALE AND PURPORTED TRUSTEE'S DEED UPON SALE AND HEREBY ADVISES ALL PERSONS THAT THE TRUSTEE'S DEED UPON SALE DATED 5/24/2011 AND RECORDED 6/3/2011 AS INSTRUMENT NUMBER 11-J193357 IN THE COUNTY OF San Francisco, STATE OF CA, FROM Executive Trustee Services, LLC dba ETS Services, LLC (TRUSTEE) TO GMAC MORTGAGE, LLC FKA GMAC MORTGAGE CORPORATION (GRANTEE) IS HEREBY RESCINDED, AND IS AND SHALL BE OF NO FORCE AND EFFECT WHATSOEVER. THE DEED OF TRUST DATED 10/25/2006, RECORDED 11/02/2006 AS INSTRUMENT NUMBER 2006-1277962-00 IN BOOK J259, PAGE 0098, IS IN FULL FORCE AND EFFECT.

Executive Trustee Services, LLC dba ETS Services, LLC

Phyllis Lam, Authorized Officer

State of California } S.S. County of Los Angeles }

On Jun 15, 2011, before me-Sally Beltran Notary Public, personally appeared Phyllis Lam, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their suthorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Sally Beltran

SALLY BELTRAN
Commission # 1777085
Natary Public - California
Los Angeles County
My Comm. Biotes Oct 30, 2011

GM-248639-C

EXHIBIT "A"

THE LAND REFERRED TO IS SITUATED IN THE STATE OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO, AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF KIRKHAM STREET WITH THE WESTERLY LINE OF 37<sup>TH</sup> AVENUE; RUNNING THENCE NORTHERLY ALONG SAID LINE OF 37<sup>TH</sup> AVENUE 25 FEET; THENCE AT A RIGHT ANGLE WESTERLY 95 FEET; THENCE AT A RIGHT ANGLE SOUTHERLY 25 FEET TO THE NORTHERLY LINE OF KIRKHAM STREET; THENCE EASTERLY ALONG SAID LINE OF KIRKHAM STREET 95 FEET TO THE POINT OF COMMENCEMENT.

BEING A PART OF OUTSIDE LAND BLOCK NO. 732.